

The Gazette



of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, SATURDAY, JANUARY 1, 1949

GOVERNMENT OF INDIA

MINISTRY OF LAW

New Delhi, the 1st January, 1949

ORDINANCE No I of 1949

AN

ORDINANCE

further to amend the Central Excises and Salt Act, 1944

WHEREAS an emergency has arisen which makes it necessary further to amend the Central Excises and Salt Act, 1944 (1 of 1944), for the purpose hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the ~~Government of India Act, 1935~~ (23 Geo 5, c 2), the Governor-General is asked to make and promulgate the following Ordinance —

1. Short title and commencement.—This Ordinance may be called the Central Excises and Salt (Amendment) Ordinance, 1949

(2) It shall come into force at once

2 Amendment of the First Schedule, Act I of 1944.—In the First Schedule the Central Excises and Salt Act, 1944 (I of 1944), after Item 11, the following shall be inserted as Item 12, namely —

“12. CLOTH—

“Cloth” means any type of cloth manufactured either wholly from cotton or partly from cotton and partly from any other material, but does not include—

(i) ready made cloth other than dhoties and sarees;

(ii) hosiery;

(iii) leather cloth and inferior or imitation leather cloth ordinarily used in book-binding,

(iv) tracing paper,

(v) cloth manufactured partly from cotton and partly from wool and containing 40 per cent or more of wool by weight;

(vi) rubberised or synthetic waterproof fabrics whether single textured or double-textured;

(vii) hand-loom cloth.

(1) Superfine cloth—

that is to say, cloth in which the count 25 per cent. *ad valorem* of warp yarn (whether single or folded) is 48s or finer.

(2) Fine cloth—

that is to say, cloth in which the count *Nil* of warp yarn (whether single or folded) is 35s or finer but does not exceed 47s.

(3) Medium cloth—

that is to say, cloth in which the count *Nil* of warp yarn (whether single or folded) is 17s or finer but does not exceed 34s.

(4) Coarse cloth—

that is to say, all other cloth in which *Nil* the count of warp yarn (whether single or folded) does not exceed 16s.

C. RAJAGOPALACHARI,

Governor-General.

K. V. K. SUNDARAM,

Secy to the Govt. of India.

MINISTRY OF FINANCE (REVENUE DIVISION).

NOTIFICATION

New Delhi, the 31st December, 1948

No. 33/115-0X(Tex)/48.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to make the following amendments to the Central Excise Rules, 1944, namely:—

'In Chapter V of the said Rules, after rule 96, the following heading and rules shall be inserted, namely:—

"E.I—CLOTH

96A. **Definitions**—In this Section

(i) "piece of cloth" means any running length of cloth and includes dhot towels, sarees, chaddars and such other items ordinarily sold by the weaver whether they are produced in pairs or in singles.

(ii) "ex-factory price" shall mean the maximum ex-factory price, exclusive of the excise duty, which is specified in respect of any class or specific description of cloth by the Textile Commissioner under the Indian Textiles (Control) Order, 1948, or the contract price thereof, whichever is less.

96B. **Ex-factory price to be specified.**—No manufacturer shall sell or deliver cloth of which the ex-factory price has not been specified by the Textile Commissioner.

96C. Markings on cloth.—(1) There shall be marked on each piece of cloth at a distance not exceeding one yard from any end—

(i) the word "Medium" where the count of warp yarn (whether single or folded) in the cloth (excluding the border) is 17 s or finer; the word "Fine" where the count of warp yarn (whether single or folded) in the cloth is 33 s; and the word "Superfine" where the count of warp yarn (whether single or folded) in the cloth is 48 s or finer;

(ii) the length of the piece in standard yards; and

(iii) the ex-factory price of such piece.

(2) The markings prescribed by sub-rule (1) may be made in the following cases as follows, namely:—

(i) in the case of mesh cloth, the markings may be made on a small label of cloth stitched to the mesh cloth;

(ii) in the case of raised blankets, the markings may be made on a small label of cloth securely stuck on the blanket;

(iii) in the case of lint, the markings may be made on a piece of paper securely stuck on the lint.

96D. Additional markings.—For the purpose of these rules, the markings to be made by a manufacturer or dealer on any class or specification of cloth manufactured or sold by him, and the time and manner of making such markings, specified by the Textile Commissioner under the provisions of the Indian Cotton Textiles (Control) Order, 1948, shall be deemed to be additional requirements as respects markings to be complied with by a manufacturer or dealer.

96E. Quantity which may be packed in each bale.—No manufacturer of cloth shall pack cloth except in bales containing not less than 1450 yards and ~~not more than 1550 yards.~~

96F. Markings on bales.—There shall be marked on every bale or other ~~package of cloth~~

(a) the markings specified in clauses (i) and (iii) of sub-rule (1) of rule 96C;

(b) the total number of yards of cloth packed therein;

(c) in the case of dhoties, sarees, towels or chaddars or other items ordinarily sold by the pair, the number of such pairs;

(d) in the case of rags, fents, seconds and other damaged and sub-standard cloth, if sold by the weight, the net weight of the bale or other package and ex-factory price per lb.

96G. Exemption.—Nothing in rule 96C shall apply to rags, fents, seconds and other damaged and sub-standard cloth.

A. N. PURI,

Depty. Secretary.

